



June 28, 2018

Greg Walden, Oregon, Chairman
Gregg Harper, Chairman, Subcommittee on Oversight and Investigations
115th Congress of the United States
House of Representatives
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515-6115

Dear Chairmen Walden and Harper:

The Connecticut Hospital Association ("CHA") greatly appreciates the opportunity to respond to the questions posed in a June 21, 2018, letter we received from the House of Representatives Committee on Energy and Commerce regarding both sexual assault rape kits and sexual assault nurse or forensic examiner programs ("SANE/SAFE programs").

[Section 19a-112a of the Connecticut General Statutes as amended by Public Act 18-83](#), mandates that for every individual who presents at a hospital self-identifying as a sexual assault victim, that hospital staff provide information on the availability of a sexual assault evidence collection kit, and with consent from the individual, then perform the forensic exam and evidence collection process.

The same state law establishes the [Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations \("Commission"\)](#), providing it the sole legal authority in Connecticut to set the parameters of the sexual assault forensic exam and evidence collection process. CHA is one of fifteen (15) statutorily appointed members of the Commission. The Commission meets on a quarterly basis and is responsible, under the law, for promulgating and maintaining a set of guidelines for the performance of sexual assault evidence collection kits, also known as the official state of Connecticut [Technical Guidelines for Health Care Response to Victims of Sexual Assault \("Technical Guidelines"\)](#), to ensure that every victim has access to a standardized evidence collection process. The Technical Guidelines, as well as the sexual assault evidence collection kit, are required to be reviewed annually by the Commission to maintain best practices at all hospitals across the state. Both the kit and Technical Guidelines were updated in 2017.

Responses to your enumerated questions are set forth below.

1. How many hospitals in Connecticut is Connecticut Hospital Association aware of that have a SANE program?

Answer to 1: The state of Connecticut operates one SAFE program under its Office of Victim Services ("OVS") that coordinates response by specially trained Sexual Assault Forensic Examiners (SAFEs), also known as the Gail Burns-Smith SAFE Program. OVS limits the number of hospitals that are able to activate the program response due to scarcity of funding and resource availability. Currently, there are eight (8) acute care hospitals in Connecticut that fall within the state's SAFE program catchment area, with one (1) SAFE on-call to respond to a request for service at any of the eight participating facilities. Long-range, and subject to funding, the number of facilities allowed to participate will be increased with the ultimate goal of having the program be available state-wide.

By Commission design, any hospital staff in Connecticut are expected to be able to perform a sexual assault evidence collection kit with consent of a victim, at any time, following the precise protocols set forth in the Technical Guidelines and kit, regardless of whether or not they are a trained SANE/SAFE. Many hospitals do employ SANE/SAFEs on staff, at both hospitals that are able to activate the state SAFE Program and those that are not able.

2. Does Connecticut Hospital Association maintain a database of hospitals and/or other entities across Connecticut that have a SANE program?

Answer to 2: No. OVS maintains its own SAFE Program database.

- a. If so, is that database publicly available?

Response to 2.a: **Not applicable to CHA.** OVS's database is not publicly available.

3. What steps, if any, has the Connecticut Hospital Association taken to increase access or address the lack of access to SAFE kits in hospitals across Connecticut?

Answer to 3: The Commission established that sexual assault evidence collection kits are to be provided directly by OVS to every acute care hospital in Connecticut. There is no shortage of kits. A kit is performed, following the Technical Guidelines, on each individual who consents to an exam and evidence collection.

- a. Does Connecticut Hospital Association partner with law enforcement agencies in any capacity to provide access to SAFE kits?

Answer to 3.a: As noted above, CHA is one of fifteen (15) statutorily appointed members on the collaborative Commission, which also includes representation from the Connecticut Police Chiefs Association as well as the Division of State Police. It also includes representation by other vital stakeholders groups such as the Chief State's Attorney Office, Department of Children and Families, the Division of Scientific Services (state laboratory), the Connecticut College of Emergency Physicians, the Connecticut Nurses' Association, Disability Rights Connecticut, Connecticut Alliance to End Sexual Violence, OVS, and both an OBGYN and pediatrician appointed by the Connecticut State Medical Society among others.

4. What challenges has Connecticut Hospital Association identified that hospitals face in providing access to these services?

Answer to 4: While the core services are available (i.e., performance of a kit on each individual that consents, and the kits are readily available), both OVS and our member hospitals report ongoing difficulty in retaining highly-trained SANE/SAFE personnel. This pool of nurses, as is the trend for many in the nursing field, often seeks additional, advanced degrees or other work opportunities, and as a consequence, leave their SANE/SAFE positions with relative frequency.

- a. How is Connecticut Hospital Association working with your hospitals to address those challenges?

Answer to 4.a: CHA actively works with OVS and other stakeholders on the Commission to broaden the pool of trained SANE/SAFE personnel to offset the high turnover. Through feedback provided by CHA, OVS will soon provide opportunities for interested hospital staff to become a trained SAFE to allow the pool of available SAFEs in Connecticut to increase.

5. For hospitals in Connecticut that do not have a SANE program, does Connecticut Hospital Association provide guidance, standards, or best practices on how to treat patients that come to the hospital seeking a SAFE kit?

Answer to 5: Connecticut law mandates an exam and evidence collection kit be performed following the Technical Guidelines when an individual consents to the kit, without regard to whether there is specifically trained SANE program staff available. OVS controls the state's official SAFE training program. Creation of stand-alone guidance and standards beyond these two state-sanctioned sources is discouraged by the Commission as it could conflict with existing processes and requirements.

CHA works with the Commission and OVS to ensure that all hospital staff are adequately trained on the sexual assault evidence collection kit and Technical Guidelines, and that every hospital has a working understanding of their core requirements. The most recent Commission-sponsored trainings for healthcare providers were held in early June 2018, in which all Connecticut hospitals were represented. CHA assisted in the planning and presentations at the trainings.

CHA also works with the *Connecticut Alliance to End Sexual Violence to improve the coordination and availability of services to victims of sexual assault.

a. If so, what procedures are recommended?

Response to 5.a: Not applicable.

b. If so, please provide copies of such guidance, standards, or best practices.

Response to 5.b: Not applicable.

c. Do the procedures vary for hospitals in rural and urban areas, or based on the availability of local alternatives, such as a rape crisis center?

Answer to 5.c.: There is no geographic difference to the availability of exams and evidence collection, or the standards and requirements that apply to the exam or evidence collection. All acute care hospitals must perform the kits in a manner consistent with the Technical Guidelines. Additionally, pursuant to state statute, the Connecticut Alliance to End Sexual Violence must be contacted by a hospital to assist every such individual who presents to the hospital seeking services after a sexual assault.

*The [Connecticut Alliance to End Sexual Violence \(The Alliance\)](#) is a statewide alliance of individual sexual assault crisis programs. It works to end sexual violence and ensure high quality, comprehensive and culturally competent sexual assault victim services, in three core areas: victim assistance, community education, and public policy advocacy.

The Alliance offers opportunities to promote social change with national, state and local organizations; procurement and distribution of funds to develop and support its member organizations; a forum for the exchange of skills and information regarding the response to, and prevention of sexual assault; and a mechanism for the development and maintenance of appropriate standards of services for rape crisis centers.

The Alliance provides free and confidential support to all survivors—regardless of age, sex, immigration status, race, ethnicity, nationality, sexual orientation, gender identity or expression, or religious or spiritual beliefs.

Thank you again for the opportunity to respond.

Sincerely,



Jennifer Jackson
President and CEO